
MEMORANDUM

Date: March 8, 2019

To: Councilmember Teresa Mosqueda, Chair
Housing, Health, Energy and Workers' Rights Committee

From: Jason Johnson, Interim Director, Department of Human Services

Cc: Ben Noble, Budget Director

Subject: Report on fixed-mobile Community Health Engagement Location site selection – Statement of Legislative Intent 14-2-A-1

This is a response to the Statement of Legislative Intent (SLI) 14-2-A-1 to provide a report on the status of identifying the location for the proposed Community Health Engagement Location (CHEL) and timeline for setup and operations.

HSD, along with our partners at King County and Public Health-Seattle & King County (PHSKC), believe that CHELs are one component of a harm-reduction, public health response to our drug addiction crisis. Our shared goal in Seattle and our region is that we achieve a "Treatment-on-Demand" standard whereby people with a substance use disorder can obtain access to the most appropriate treatment for them *when they ask for it*, at the most convenient location, particularly those who are the most vulnerable - people without a place to live. While King County has made great strides to provide more treatment to those needing it, there are still many people who must wait for specific types of care beyond reasonable timeframes.

As you may know, we have been in communication with cities like San Francisco, Philadelphia, New York, Denver and Boston who are seriously considering opening up safe injection sites. At this time, none have opened. Last year, Deputy Attorney General Rod Rosenstein said swift and aggressive action would follow the opening of a safe injection site, and in February 2019, the U.S. Attorney for the Eastern District of Pennsylvania filed a civil lawsuit against the Philadelphia nonprofit organization Safehouse, which claims that such facilities are in violation of the federal Controlled Substances Act. The suit is asking U.S. District Court Judge Gerald McHugh to rule on the legality of Safehouse's plans, rather than waiting for Safehouse to open and then shutting it down with civil forfeiture, arrests and/or prosecution. HSD continues to be concerned about the threats posed by potential lawsuits and/or prosecution from the federal government. The City of Seattle is closely watching the progress of this lawsuit, and working with our City Attorney's Office to consider all of our legal options, including potentially filing an amicus brief in the Philadelphia case or other litigation strategies.

In addition to legal challenges, the City of Seattle has allocated \$1.4 million to cover one-time costs associated with establishing a CHEL. In addition, King County has set aside \$500,000 in one-time funding from the Mental Illness and Drug Dependency tax for the purchase of a vehicle where safe injection activities would take place.

A CHEL is only one aspect of the wholistic approach recommended by the Task Force with access to treatment as a critical component. As was submitted in the revised June 5, 2018 SLI 261-1-A-1 response, it is estimated

that operating activities related to a CHEL would cost approximately \$2.5 million annually in addition to the capital costs - there is currently no ongoing costs that been proposed to cover these costs by either the County nor City Council, including through both budget processes last year. These costs are based on services placed at the site and seven day-a-week, 10 hour-a-day operations. Proposed services include medical services, peer support, HIV/HCV screening, social services, syringe exchange, drug and alcohol assessment and medication assisted treatment on-site, health education, case management and linkages to other support services such as legal and housing services. As of this writing, there continues to be insufficient County funds appropriated to both pay for the operating activities of a CHEL and deliver the critical behavioral health services needed by King County residents.

It is our understanding that the Law Department is available to brief Council on its assessment of legal risk of actions by the federal government especially since the proposal currently would have a government agency operating the facility.

